

APA-1
Revised 4/2018

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 700 Department or Agency AL Board of Physical Therapy
Rule No. 700-x-1-.09
Rule Title: Request Public Records from the Alabama Board of Physical Therapy
 New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NO

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? NO

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Katly Miller
Date May 17, 2023

REC'D & FILED
(DATE FILED)
(STAMP)

MAY 16 2023

LEGISLATIVE SVC AGENCY

APA-2

Alabama Board of Physical Therapy

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Physical Therapy

RULE NO. & TITLE: 700-x-1-.09, Request Public Records from the Alabama Board of Physical Therapy

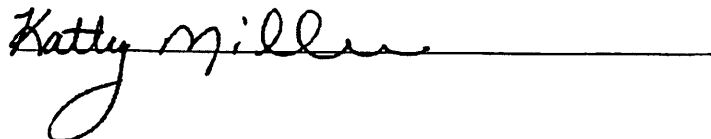
INTENDED ACTION: The Alabama Board of Physical Therapy proposes a rule related to public access to records and rules.

SUBSTANCE OF PROPOSED ACTION: The Alabama Board of Physical Therapy proposes to promulgate Administrative Code 700-x-1-.09 to implement Governor Ivey's Executive Order NO. 734-Promoting Transparency in State Government Through Enhanced Accessibility to Public Records.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or verbal comments should be directed to Kathy Miller, Executive Director, at 100 North Union Street, Suite 724, Montgomery, AL 36130 or via electronic mail at kathy.miller1@pt.alabama.gov or via telephone at 334-242-4064.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: This record closes at 4:30 on Wednesday, July 10, 2023.

CONTACT PERSON AT AGENCY: Kathy Miller, Executive Director

A handwritten signature in cursive script that reads "Kathy Miller". The signature is written in black ink and is positioned above a solid horizontal line that extends to the right.

700-X-1-.09 Records. Public records may be requested in writing using the Board's public records request form. Questions may be directed to the Executive Director. The public request form will be made available on the Board's website. A fee shall be assessed for costs incurred for searching and producing records as described in rule 700-X-1-.10. Records requested will be categorized as either Standard records or Time-intensive records. The Board shall acknowledge all requests within two (2) business days of receipt. The Board will provide records, provided that the request has been submitted on the Board approved form and all fees are paid in full. The Board reserves the right to review and/or deny any records request that compromises legally protected information or to which the release of said records would be detrimental to the public. Standard Records – are designated as public records that are easily made available to the public with little or no preparation time and with limited redaction needed to withhold legally protected information. These requests should be processed within fifteen (15) days of receipt. If the Board is unable to process the request within fifteen (15) days, the requestor will be notified by the Board within fifteen (15) days. Time-Intensive Records – are designated as records that would involve more than eight (8) hours of preparation with need for review and redaction with regards to legally protected information. These requests should be processed within forty-five (45) days of receipt. If the Board is unable to process the request within forty-five (45) days, the requestor will be notified by the Board within forty-five (45) days.

Author: Kathy Miller and J. Matt Bledsoe

Statutory Authority: Code of Alabama 1975, Section §34-24-193.

History: Date Filed April 14, 2023; effective May 1, 2023; operative _____.

700-X-1-.10 Fees for Public Records Request From The Alabama Board of Physical Therapy Document retrieval and preparation charges are \$20.00 per hour or any portion thereof.

Copying of records will cost a fee not to exceed .50¢ per page. Notwithstanding the foregoing, the Board will charge the requestor any actual costs incurred while processing or responding to a public records request. Costs for a flash drive or other hardware necessary for electronically producing records, for special paper sizes, and for costs associated with searching electronic databases and all other costs will be charged to the requestor. The Board will notify the requestor of these actual costs prior to charging the requestor.

Author: Kathy Miller and J. Matt Bledsoe

Statutory Authority: Code of Alabama 1975, Section §34-24-193.

History: Date Filed April 14, 2023; effective May 1, 2023; operative _____.